

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL ANDREWS,

Plaintiff,

19 cv 4095 (JGK)

- against -

ORDER

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

JOHN G. KOELTL, District Judge:

The plaintiff moves for reconsideration of this Court's Order reversing the Commissioner's decision and remanding the matter to the Social Security Administration for further administrative proceedings.

Reconsideration is an extraordinary remedy and should only be granted where the moving party demonstrates "an intervening change in controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice." Schoolcraft v. City of New York, 298 F.R.D. 134, 136 (S.D.N.Y. 2014); United States v. Alvarez-Estevez, No. 13 CR. 380 (JFK), 2014 WL 12681364, at *1 (S.D.N.Y. Nov. 6, 2014).

The plaintiff has failed to show that there is any basis to reconsider this Court's prior decision that reversed a prior decision of the Commissioner and remanded for further administrative proceedings. Those further administrative proceedings were conducted before an Administrative Law Judge

and were decided unfavorably to the plaintiff. The plaintiff may now seek review of the Administrative Law Judge's decision by the Appeals Council and can seek expedited treatment. After that decision, if he is dissatisfied with the result, he can again seek review in the District Court. The plaintiff may wish to seek the assistance of pro bono counsel.

The motion for reconsideration is therefore **denied**. The Clerk is directed to close Docket No. 26.

Chambers will mail a copy of this Order to the pro se plaintiff at 3569 Dekalb Avenue, Apartment 2D, Bronx, NY 10467.

SO ORDERED.

**Dated: New York, New York
September 7, 2020**

/s/ John G. Koeltl
John G. Koeltl
United States District Judge